

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

2022 JUL 26 PM 1:52

2022 JUL 26 PM 12:27

James P. Ryan, Plaintiff/Appellant)	
v.)	
Carlo DeMaria, Jr, et., al)	
Defendant/ Appellees)	Originating Case USDC 1:21-cv-11158 NMG
)	

MOTION FOR AN OUT OF TIME APPEAL

Comes now, James P. Ryan and files this Motion for An Out Of Time Appeal Pursuant to Rule 4 of the Federal Rules of Appellate Procedure and as grounds state the following to wit:

1. James P. Ryan prosecuted the above Case pro se due to La Cosa Nostra elements with some of the Defendants.
2. The Plaintiff complied with the 14 Day opportunity to oppose the March 3, 2022 Determination by the Court.
3. The Plaintiff now offers to take a Polygraph to prove the Plaintiff did not receive a Copy of the Response from the Court after Plaintiff Filed the Opposition Documents on March 11, 2022. The Plaintiff was told by the Clerk's Office Staff Member, after Hand delivering the Opposition on March 11, 2022 that a Response would be arriving in the Mail. Plaintiff made multiple phone calls to the Clerk's Office seeking information regarding the promised Response. Voicemails were also left at the Clerk's Office. Voicemails were left with Steve York. Emails (Attached) were also sent to Douglas Warnock without any response.

(Attachment B)

4. This is the second time Plaintiff did not receive a Document from a Clerk's Office. At Lynn District Court, in the Angiulo/Witness tampering Matter, a Court Denial was never received by the Plaintiff. It is possible that the USDC Clerk's Office did mail a Response, but, it was lost in the Mail. It is possible it was placed in the wrong Mailbox. U.S. Postal Service has been the way in which this Pro Se Plaintiff has been consistently receiving Notices since Filing in July 2021. There has never been an issue.